

REMARKS

In a December 8, 2006 Office Action, the Examiner required restriction to one of the following groups:

- I. Claims 1-6, 8-16, 17-20, 22 drawn to an electrolyte and a battery comprising the electrolyte comprising an electrolyte salt LiPF₄, LiBF₄, LiAsF₆, LiCl₄, LiN(SO₂CF₃)₂, or lithium perfluoro-sulfonate and a first solvent containing an ester, an ether, etc. and contains a second seder., classified in class 429, subclass 343.

- II. Claims 7 and 21, drawn to an electrolyte and a battery comprising an electrolyte salt containing LiPF₆:LiBF₄ in a molar ratio from about 9:10 to 50:50 and first solvent selected from EC, PC, DEC, DMC and methyl ethyl carbonate and a second solvent, classified in class 429, subclass 330.

Applicant hereby elects with traverse Group I, claims 1-6, 8-16, 17-20, 22 drawn to an electrolyte and a battery comprising the electrolyte comprising an electrolyte salt LiPF₄, LiBF₄, LiAsF₆, LiCl₄, LiN(SO₂CF₃)₂, or lithium perfluoro-sulfonate and a first solvent containing an ester, an ether, etc. and contains a second seder., classified in class 429, subclass 343 for prosecution in this application. Applicants submit that claims 7 and 21 as amended further define the features of elected Group I.

The Examiner also indicated that this application contains claims directed to the following patentably distinct species: nitrile compounds of Formula I or II. If choose, Formula I please further redefine R1, R2 and X. If choose, Formula II, please further define R5, R6 and R8 and Y. Applicant hereby elects Formula I and has amended the claims to Formula I.

Applicant submits that R1, R2 and X are defined in the present claims.

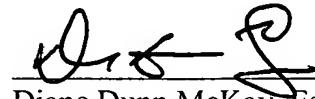
Claims 1, 7, 17 and 21 have been amended. Claims 1-22 are in this application.

A prompt action on the merits is earnestly solicited. The Examiner is invited to telephone the undersigned should he believe this would expedite prosecution of this

application. It is believed no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: January 8, 2007


Diane Dunn McKay, Esq.
Reg. No. 34,586
Attorney for Applicant

MATHEWS, SHEPHERD, McKAY & BRUNEAU, P.A.
29 Thanet Road, Suite 201
Princeton, NJ 08540
Tel: 609 924 8555
Fax: 609 924 3036